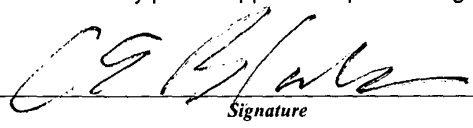
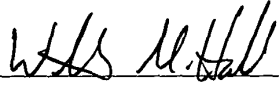


AMENDMENT TRANSMITTAL LETTER (Large Entity)			Docket No. 90337.129301		
Applicant(s): Francis X. Smith					
Serial No. 09/706,338	Filing Date November 4, 2000	Examiner R. D. Lovering	Group Art Unit 1712		
Invention: IMPROVED OPHTHALMIC AND CONTACT LENS SOLUTIONS					
<u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	13 -	39 =	0 x	\$18.00	\$0.00
INDEP. CLAIMS	3 -	3 =	0 x	\$84.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ A duplicate copy of this sheet is enclosed. <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 10-0223 A duplicate copy of this sheet is enclosed. <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.					
 _____ Signature			Dated: October 28, 2002		
Christopher E. Blank, Esq. Reg. No.: 31,237 JAECKLE FLEISCHMANN & MUGEL, LLP 39 State Street Suite 200 Rochester, New York 14614-1310 Tel: (585) 262-3640 Fax: (585) 262-4133			RECEIVED NOV 06 2002 OFFICE OF PETITIONS		
CC:			I certify that this document and fee is being deposited on 10/28/2002 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.  _____ Signature of Person Mailing Correspondence William M. Hall _____ Typed or Printed Name of Person Mailing Correspondence		

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)

Applicant(s): Francis X. Smith

Docket No.

90337.129301

Serial No.

09/706,338

Filing Date

November 4, 2000

Examiner

R. D. Lovering

Group Art Unit

1712

Invention:

IMPROVED OPHTHALMIC AND CONTACT LENS SOLUTIONS

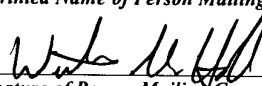
I hereby certify that this **Response to Restriction Requirement Electing Claims 13-25 (2 pgs)**
(Identify type of correspondence)

is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The

Assistant Commissioner for Patents, Washington, D.C. 20231 on **October 28, 2002**
(Date)

William M. Hall

(Typed or Printed Name of Person Mailing Correspondence)


(Signature of Person Mailing Correspondence)

Note: Each paper must have its own certificate of mailing.

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#101



Patent
90337.129301

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant(s):	Francis X. Smith)	
Serial No.:	09/706,338)	
Filed:	November 4, 2002)	Examiner: R D Lovering
For:	IMPROVED OPHTHALMIC AND CONTACT LENS SOLUTIONS)	Group: 1712

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner of Patents
Attention: Office of Petitions
Box DAC
Washington, DC 20231

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OFFICE OF PETITIONS

Dear Sir:

In the Office Action dated April 1, 2002, a restriction requirement was issued in the above identified case requiring election between the species of the claimed invention

Responsive thereto, Applicants hereby provisionally elect to prosecute claims 13-25. *needs a single claim (il suga buffer)*

In the event that Applicants have overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby conditionally petition therefore and authorize that any changes be made to Deposit Account No.: 10-0223.

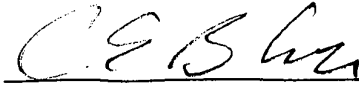
Should you have any questions regarding the enclosed, please do not hesitate to contact me.

*0214-35 13/39
not available in
elected species*

Comments @ 1-13 & 35

Respectfully submitted,

Dated: 10/28/02



Christopher E. Blank, Esq.

Reg. No.: 31,237

JAECKLE FLEISCHMANN & MUGEL, LLP

39 State Street, Suite 200

Rochester, New York 14614-1310

Tel: (585) 262-3640

Fax: (585) 262-4133

71-

*dictated specifics of el. 13
w/ to answer*

JAN 27-03 at 11:00 AM

Bio-Trio

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